ORDER RECEIVED FR

IN RE: PETITION FOR ZONING VARIANCE * W/S North Point Rd., 184 ft. S of Lodge Farm Road 7505 North Point Road 15th Election District 7th Councilmanic District Goucher Woods Development, Inc.

BEFORE THE ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 93-222-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 7505 North Point Road in the North Point/Edgemere section of Baltimore County. The Petitioner seeks relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot width of 50 ft. in lieu of the required 55 ft. for a residential lot zoned D.R.5.5. In the alternative, approval is also sought for an undersized lot, per Section 304.2 of the B.C.Z.R.

Appearing at the public hearing held for this case was William M. Bafitis, Professional Engineer. Mr. Bafitis prepared the site plan which was submitted as Petitioner's Exhibit No. 1. An amended plan, marked Petitioner's Exhibit No. 1A, was received subsequent to the hearing. Also present was Keith Link from the Bureau of Traffic Engineering. There were no Protestants present.

Mr. Bafitis testified and presented the plan. The subject property is a narrow, yet deep, lot which is located near the intersection of Lodge Farm Road and North Point Road. The lot is approximately 200 ft. in depth but only 50 ft. wide. It is presently unimproved. The owner proposes construction of a 1-1/2 story framed dwelling on the lot. All required setbacks and area regulations for the proposed lot will be met. However, the lot is too narrow by a distance of 5 ft. from the required 55 ft. standard

set forth in Section 1B01.3.C.1 of the B.C.Z.R.

Mr. Bafitis testified that the owner will suffer practical difficulty and undue hardship if the variance is not granted. Specifically, the Developer cannot increase the size of the lot to meet the regulations. Further, Mr. Bafitis testified that construction of the proposed dwelling is consistent with uses in the area. He believes there will be no detriment to the health, safety or general welfare of the surrounding locale if the variance was granted.

Although there were no Protestants present, Mr. Link did appear at the public hearing on behalf of the Bureau of Traffic Engineering. He noted a Zoning Advisory Committee comment from his department authored by Rahee J. Famili, Traffic Engineer II. It was agreed at the hearing that Mr. Bafitis would amend the plan so as to satisfy the concerns set forth by Mr. Famili. In fact, an amended plan was submitted subsequent to the hearing which has been initialed as acceptable by Mr. Link. Thus, the Petition shall be approved in accordance with the amended plan which has been submitted.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Peti-

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this bar day of March, 1993 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot width of 50 ft., in lieu of the required 55 ft., for a residential lot zoned D.R.5.5., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval for an undersized lot, per Section 304.2 of the B.C.Z.R., all in accordance with Petitioner's Exhibit No. 1A, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Comfor Baltimore County

-3-

Petition for Variance to the Zoning Commission of Variance for the property located at 7505 North Point Road

which is presently sened DR 5.5 This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(e) 1802.3. c.1. BCZR to permit a minimum lot width of 50' in lieu of the required 55' and to approve an undersize lot per section 304.2 (BCZR)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) This site is Lot #407 of Lodge Forest WPC No. 7 Part 2-152, recorded August 13, 1924 said lot was recorded with a 50' width resulting in a practical difficulty of not meeting current Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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		•	Development, Inc.	
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	. Phone No.	Phone No.	Legal Owner(s): Goucher Moods Armondo Cigner (Type or Print Name) Signature Tipe or Print Name) Signature 108 W. Timoniu Address Timonium City Name, Address and phon to be confacted. Phone No. Name Estimated Length of the fellowing dates	Guicher Mondo Cigneral President (Type or Print Name) (Type or Print Name) State 2pcode Signature 108 W. Timonium Road Address Timonium Maryland City State City State Phone No. Name Address and phone number of legal owner, content to be contacted. Phone No. Phone No. Phone No. State Dipcode Address ALL OTHER

RECEIVED FOR I

ZONING DESCRIPTION

7505 North Point Road

Beginning at a point on the west side of North Point Road, (40 feet wide) said point being 83.95 feet southerly from the intersection of the south right-of-way line of Lodge Farm Road (30 feet wide) and the west right-of-way line of North Point Road, (40 feet wide), thence binding on the west right-of-way line of North Point Road S.22'40'27"E., 50.00 feet thence leaving said North Point Road the following two courses; S.67°19'33"W., 200 feet, thence N.22°40' 27"W., 46.18 feet to the south right-of-way line of Lodge Farm Road, thence binding on the south right-of-way line of Lodge Farm Road N.43'37'50"E., 9.52 feet, thence leaving said Lodge Farm Road N.64'19'33"E., 191.29 feet to the point of beginning. Being lot number 407 in the subdivision of Lodge Forest as recorded in the Land Records of Baltimore County in WPC 7-Part 2-152, containing 9,983.4 square feet (0.2292 Acres) of land, more or less. Also known as 7505 North Point Road and located in the 15th Election District of Baltimore County, Maryland.



January 7, 1993

93-222-1 CERTIFICATE OF POSTING Paylanco

Coucher Woods Ordelopmont, Inc (7505) W/S No. PX. Rd. 184' S/ Ludge Form RN ocation of signe facing road way on preparty of Achtrois



CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was ublished in THE JEFFERSONIAN, a weekly newspaper published weeks, the first publication appearing on _

THE JEFFERSONIAN.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

March 12, 1993

Mr. William Bafitis 1249 Engleberth Road Baltimore, Maryland 21221

> RE: Case No. 93-222-A Petition for Variance Goucher Woods Development, Inc.

Dear Mr. Bafitis:

LES:mmn

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

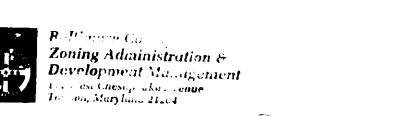
Zoning Administration & Development Management

93-222-A

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TOTAL: \$50,000

LAST MAME OF OWNER: GOUCHER WOODS

DATE: 2-2-93

108 W. Timonium Road

Dear Petitioner(s):

Timonium, Haryland 21093

Goucher Woods Development, Inc.

RE: CASE NUMBER: 93-222-A (Item 229)

7505 North Point Road

W/S North Point Road, 184' S of Lodge Farm Road

Petitioner(s): Goucher Woods Development, Inc.

your Order, immediate attention to this matter is suggested.

HEARING: TUESDAY, FEBRUARY 9, 1993 at 9:00 a.m. in Rm. 106, Office Building.

Please be advised that \$ 70.05 is due for advertising and posting of the above captioned

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER

SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or

Please forward your check via return smil to the Zoning Office, County Office Building, 111 W.

15th Election District - 7th Councilmenic



(410) 887-3353

NOTICE OF HEARING

Baltimore County Government

Office of Zoning Administration

and Development Management

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public bearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE WURBER: 93-222-A (Item 229) W/S North Point Road, 184' S of Lodge Farm Road 7505 North Point Road 15th Election District - 7th Councilmenic Petitioner(s): Goucher Woods Development, Inc.

Variance to permit a minimum lot width of 50 feet in lieu of the required 55 feet and to approve an

HEARING: TUESDAY, FEBRUARY 9, 1993 at 9:00 a.m. in Rm. 106, Office Building.

MOTE: HEARTINGS ARE HANDICAPPED ACCESSIBLE: FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

93-222-A 2-9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and Development Management

DATE: January 22, 1993

The same of the sa

Pat Keller, Deputy Director Office of Planning and Zoning

Petitions from Zoning Advisory Committee

(11 and 19, 1993)

The Office of Planning and Zoning has no comments on the following petition(s):

J.F.O. Holding Corporation, Item No. 213 Bell Atlantic Mobile Systems, Item No. 219 Goucher Woods Development, Inc., Item No. 229

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Division Chief:

PK/FM: rdr

213. ZAC/ZAC1

Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

1-13-93

Ms. Julie Winiarski Zoning Administration and Development Management

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

My telephone number to 410-333-1350

Teletypewriter for impaired Hearing or Speech more Metro - 565-0451 D.C. Metro - 1-500-492-5062 Statewide Toll Free 707 North Calvert St., Beltimore, Maryland 21203-0717

Baltimore County Government Office of Zoning Administration and Development Management

January 26, 1993

(410) 887-3353

Mr. Armondo Cignarale 108 W. Timonium Road Timonium, MD 21093

111 West Chesapeake Avenue

Towson, MD 21204

RE: Case No. 93-222-A, Item No. 229 Petitioner: Goucher Woods Development, Inc. Petition for Variance

Dear Mr. Cignarale:

700 East Joppa Road Suite 901

Zoning Administration and

edition prior to occupancy.

Special Inspection Division

Baltimore County Office Building

Development Management

RE: Property Owner:

Location:

Towson, MD 21286-5500

Arnold Jablon

Towson, MD 21204

Director

Gentlemen:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government

JANUARY 13, 1993

GOUCHER WOODS DEVELOPMENT, INC.

#7505 NORTH POINT ROAD

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be

Item No.: 229 (JLL) Zoning Agenda: JANUARY 19, 1993

corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire

Protection Association Standard No. 101 "Life Safety Code", 1988

Fire Department

and the second s

(410) 887-4500

Fire Prevention Bureau

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this

8th day of January 1993.

Petitioner: Goucher Woods Development, Inc. Petitioner's Attorney:

Zoning Issue

written comments

Worthington Place L.P.

John F. Moore

Zigmas J. And Ona E. Bucevicius DED DEPRM RP STP TE

NO COMMENTS Ronald D. And Norma J. Jewell DED DEPRM RP STP TE

Steven P. and Deborah J. Benson DED DEPRM RP STP TE Deereco Limited Partnership

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James R. and Cecile Myrick DED DEPRM RP STP TE

Goucher Woods Development, Inc. DED DEPRM RP STP TE Connelly Funeral Home

DED DEPRM RP STP TE Orville M. Jones

DED DEPRM RP STP TE

JP/KEK

13/22

Project Name

Joseph K. And Alva A. Pokorny

219 NO Comments

01/27/93

Meeting Date

Written comments DEPRM RP STP

1-19-93

NO COMMENTS

NO COMMENTS NO COMMENTS

NO COMMENTS

DPW/Developers Engineering Division (P	ublic Services)	01/2	7/93
Development Review Committee Response Authorized signature		Date _ 2/ 1/	73
Project Name File Number Waiver Number	Zoning Issue	Meeting Dat	e
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	SUBJECT:	Z.A.C.
	Z.A.C. ME	ETING D

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: January 27, 1993

rnold Jablon, Director e of Zoning Administration evelopment Management

J. Famili

Comments

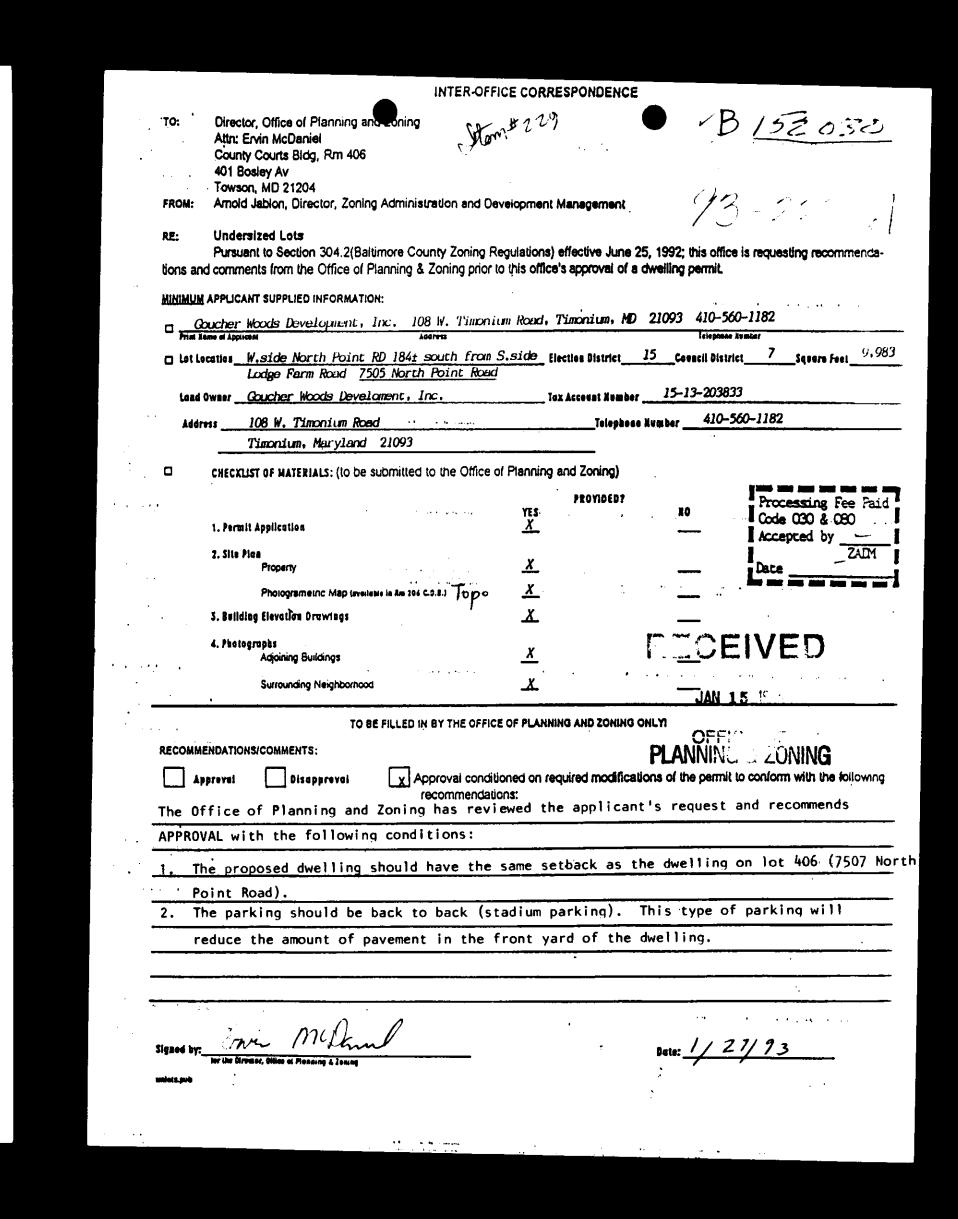
DATE: January 18, 1993

ITEM NUMBER: 229

- 1. It is recommended that the access to Lot 407 be off of Lodge Farm Road.
- 2. Any access to North Point Road must provide an on-site turnaround area for Lots 406 and 407.
- 3. Adequate right-of-way for both North Point Road and Lodge Farm Road must be dedicated at this time.

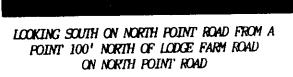
Traffic Engineer II

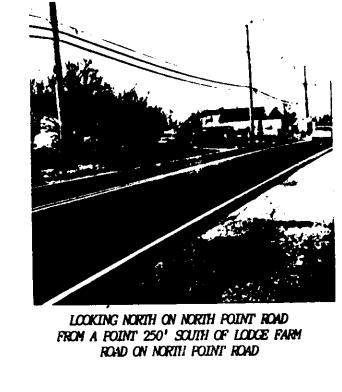
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PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET				
William BAFITS	ADDRESS 1249 ENGLIEBERTH Sol. TRAFFIC ENG.			
KEITH LINIK	TRAFFIC ENG,			
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